

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ABDUL HADI EL BEY; AQUEELAH
SOVEREIGN EL BEY,

Plaintiffs,

-against-

MICHAEL C. LOPEZ, ROCHESTER CITY
COURT CRIMINAL AND CIVIL DIVISION
DOING BUSINESS AS MAGISTRATE, *et al.*,

Defendants.

19-CV-9978 (CM)

ORDER OF DISMISSAL

COLLEEN McMAHON, Chief United States District Judge:

Because Plaintiffs submitted this action without an *in forma pauperis* (IFP) application from Abdul Hadi El Bey, by order dated October 30, 2019, the Court directed Plaintiffs to either pay the \$400.00 in fees or have Abdul Hadi El Bey submit a completed and signed IFP application within thirty days. That order specified that failure to comply would result in dismissal of Plaintiff Abdul Hadi El Bey's claims. Plaintiffs have not paid the fees and Plaintiff Abdul Hadi El Bey has not filed an IFP application.

Accordingly, Plaintiff Abdul Hadi El Bey's claims are dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Clerk of Court is directed to mail a copy of this order to Plaintiffs and note service on the docket.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf.*

Coppedge v. United States, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: December 23, 2019
New York, New York



COLLEEN McMAHON
Chief United States District Judge